

A regular meeting of the City Commission of The City of Springfield, Ohio, was held on Tuesday, January 20, 2015, in the Forum of City Hall.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill; President Copeland being absent.

The invocation was offered by Mr. O'Neill, who then led the assembly in the Pledge of Allegiance.

On motion of Mr. Martin, seconded by Mrs. Chilton, the members approved the minutes of the January 20, 2014, regular meeting as presented.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

### **FIRST READINGS—ORDINANCES**

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

**18-15** An Ordinance titled, "Confirming purchases and the obtaining of services for the City and providing for payments therefor."

**19-15** An Ordinance titled, "Dedicating certain rights in real estate acquired by and owned by the City for the purpose of making and repairing roads which shall be open to the public without charge, relative to the CLA-Bechtle Bridge Project."

**20-15** An Ordinance titled, "Authorizing the City Manager to accept conveyance of an easement and dedicating those certain rights in real estate for the purpose of constructing, reconstructing, operating, and maintaining sewer infrastructure."

**21-15** An Ordinance titled, "Authorizing the City Manager to enter into a Grant Agreement with the Turner Foundation for a grant to partially support CultureFest 2015 in an amount up to \$1,000; and authorizing the City Manager, Finance Director, and Director of Community Development to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant and to comply with all relevant local, state, and federal legal requirements."

 Next regular City Commission meeting: February 3, 2015. 

### **SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**1-15** An Ordinance No. 15-13 titled, "Confirming and approving the acceptance of a donation from Walmart, Facility No. 2429 on Bechtle Avenue, in the amount of \$1,000 to be utilized by the Fire Prevention Bureau for the purchase of new equipment."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**2-15** An Ordinance No. 15-14 titled, "Authorizing the City Manager to enter into an Agreement to Furnish Emergency Management by and between the City and the Board of County Commissioners of Clark County, Ohio, to provide emergency management services at no cost to the City."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

### **EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**22-15** Emergency Ordinance No. 15-15 titled, "Providing for Supplemental Appropriations within various funds, and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**23-15** Emergency Ordinance No. 15-16 titled, "Authorizing an Employment Incentive Agreement with MacRay Co. LLC to incentivize relocation to a facility in downtown Springfield located at 100 West North Street to preserve and

create employment in the City; authorizing the City Manager, Finance Director, and Law Director to do all things necessary to implement the said Employment Incentive Agreement; and declaring an emergency.”

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**130-08** Emergency Ordinance No. 15-17 titled, “Authorizing the City Manager to execute the Fifth Amendment to the City’s Grant Agreement ECDD 09-124E for the Ohio Job Ready Sites (JRS) Program, to adjust the project completion date to July 1, 2015, and declaring an emergency.”

On motion of Mrs. Duncan, seconded by Mrs. Chilton, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**24-15** Emergency Ordinance No. 15-18 titled, “Levying special assessments for the demolition of condemned structures; and declaring an emergency.”

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**25-15** Emergency Ordinance No. 15-19 titled, “Confirming and approving a Conditional Purchase Agreement by and between the City and The Board of Township Trustees of Brunswick Hills Township, Medina County, Ohio, for the purchase a 2001 E-One Aerial Ladder Quint model HP 100 fire truck, for an amount not to exceed \$200,000; and declaring an emergency.”

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**155-14** Emergency Ordinance No. 15-20 titled, “Authorizing the City Manager to execute Subrecipient Funding Agreement (Norm’s Place 2014-2015) Amendment No. 1 to the June 25, 2014, Subrecipient Funding Agreement with Interfaith Hospitality Network, Inc., to increase funding in the amount of \$5,000 for a total amount not to exceed \$87,056; confirming and approving expenditures incurred from January 5, 2015, to the passage of this ordinance; and declaring an emergency.”

On motion of Mr. Martin, seconded by Mrs. Chilton, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**26-15** Emergency Ordinance No. 15-21 titled, “Authorizing the City Manager to enter into a Cropland Lease Agreement (2014 – 2020) with Berner Farms to lease 308.758 acres in the vicinity of the City’s Water Treatment Plant, of which 254.214 acres are tillable farmland; and declaring an emergency.”

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**27-15** Emergency Ordinance No. 15-22 titled, “Authorizing the City Manager to enter into a Cropland Lease Agreement (2014 – 2020) with Clark’s Farm Market, LLC, to lease 103.889 acres in the vicinity of the City’s Water Treatment Plant, of which 99.159 acres are tillable farmland; and declaring an emergency.”

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**28-15** Emergency Ordinance No. 15-23 titled, “Authorizing the City Manager to enter into a Cropland Lease Agreement (2015 – 2020) with Clem Farms Ltd. to lease 37.99 acres at the Springfield-Beckley Municipal Airport, of which 34.89 acres are tillable farmland; and declaring an emergency.”

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**29-15** Emergency Ordinance No. 15-24 titled, “Authorizing the City Manager and the Chief of Police to sign a Federal Equitable Sharing Agreement with the United States Government, Department of Justice, and Department of Treasury, for the period January 1, 2015, through December 31, 2015; confirming and approving all transactions up until the passage of this Ordinance, and declaring an emergency.”

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**49-08** Emergency Ordinance No. 15-25 titled, “Confirming and approving Change Order No. 5 (Final) to the

contract between the City and R. B. Jergens Contractors, Inc., for the CLA-Bechtle Avenue Bridge Over Buck Creek Project, PID No. 85172, to increase the contract amount by \$3,022 for a total contract amount not to exceed \$1,213,649.85; authorizing the City Manager to execute said Change Order No. 5 (Final); and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Chilton, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**30-15** Emergency Ordinance No. 15-26 titled, "Authorizing the purchase of four 2015 Chevrolet Impala Cruisers for an amount not to exceed \$85,044, and five 2015 Chevrolet Tahoes for an amount not to exceed \$144,089, from Byers Chevrolet, through the Ohio Department of Administrative Services, pursuant to Ohio's Cooperative Purchasing Act, in accordance with the provisions of Section 125.04 of the Ohio Revised Code; and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance was passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

### **LIQUOR PERMITS**

**276-14** On motion of Mrs. Duncan, seconded by Mr. Martin, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit from Bada Bing Pizzeria, 40 North Fountain Avenue, was ordered received and filed with the City Clerk, and the Clerk is directed to not request a hearing, as any concerns or issues that the City might have will be addressed through the building permit and Certificate of Occupancy processes.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

**10-15** On motion of Mr. Martin, seconded by Mrs. Chilton, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request for a new liquor permit for Kris A. Williams, dba Memories Bar and Grill, 1901 West Main Street, was ordered received and filed with the City Clerk and the objection contained therein be noted and a hearing requested before the Ohio Department of Liquor Control to be held in Clark County, Ohio.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

### **EMERGENCY RESOLUTION**

The following emergency legislation was presented for the first time:

**31-15** Emergency Resolution No. 5869 titled, "Appointing Mark A. Brown to the Board of Zoning Appeals, and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. Martin, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

### **COMMUNICATIONS**

The following communication was ordered received and filed:

**32-15** Notification from Macy's, Upper Valley Mall, of the store's closure and the elimination of 72 jobs.

### **COMMENTS ON AGENDA ITEMS**

**23-15** Mr. Martin spoke in connection with the Commission's approval of the Employment Incentive Agreement for MacRay Co., LLC. He was pleased that the business would remain in the community and relocate to downtown Springfield.

**130-08** Assistant City Manager and Economic Development Administrator Franzen stated that the State of Ohio approved the extension of the Job Ready Sites Program Grant for the Bushnell Building to July 1, 2015.

**24-15** Finance Director Beckdahl reported that the City would levy special assessments on fifteen condemned properties. Structures on the properties were demolished in 2014 at an approximate cost of \$107,000.

**25-15** Fire Chief Heimlich described the aerial ladder fire truck the division would purchase from Brunswick Hills Township, Medina County, Ohio, as low mileage. The apparatus would fulfill Springfield's need for a ladder resource. He noted the truck was in good condition.

**29-15** Police Chief Moody stated that the Federal Equitable Sharing Agreement with the United States departments of Justice and Treasury sets forth the participation requirements for the program and restrictions on the use of federally forfeited cash, property, and proceeds that are shared with participating law enforcement agencies.

**10-15** With regard to the City's investigation into a request by Kris Williams, for a new liquor permit for an establishment to be located at 1901 West Main Street, City Manager Bodenmiller stated that staff members request a hearing before the Ohio Department of Liquor Control. Ms. Williams has been non-responsive to requests to enter the building for inspection. In addition, the building is not properly zoned for a liquor establishment.

#### **COMMENTS FROM THE COMMISSION**

Mr. O'Neill welcomed newly elected State Representative Kyle Koehler to the Forum. Representative Koehler stated that he came to observe. He supported Springfield and would attend Commission meetings when possible.

**33-15** Mr. Martin asked the City Manager to prepare a report on the Sheridan Avenue industrial corridor for the Commission. He was interested in the corridor's status and any further redevelopment plans for this underutilized area.

**34-15** In response to Mrs. Chilton's inquiry, Chief Moody stated that the next Citizens Police Academy would get underway on March 19, 2015 and continue for twelve weeks.

#### **COMMENTS FROM THE AUDIENCE**

**23-15** Mrs. Linda Stampley, 1413 Noel Drive, asked how many jobs MacRay Co., LLC, would support as a result of the Employment Incentive Agreement with the City, to which Mr. Bodenmiller indicated a total of 50 full- and part-time positions.

**13-15** Mr. Raymond Upshaw, 325 West Liberty Street, stated he was nonviolent. He spoke to the judicial system, supply and demand, and the need for leadership.

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There being no further business, on motion of Mr. Martin, seconded by Mrs. Chilton, the meeting was adjourned.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, and O'Neill.

Yeas 4, Nays 0.

/s/ Kevin O'Neill  
ACTING PRESIDENT OF THE CITY COMMISSION

/s/ Connie J. Chappell  
CLERK OF THE CITY COMMISSION